

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CAUSE NO.: 2:16-CR-31-JTM-JEM
)	
ROMELL JACKSON,)	
Defendant.)	

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE
UPON A SUPERVISED RELEASE REVOCATION HEARING**

TO: THE HONORABLE JAMES T. MOODY,
UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF INDIANA

On February 21, 2019, the United States Government appeared by counsel Assistant United States Attorney Thomas M. McGrath. Defendant Romell Jackson appeared in person and by counsel Mark Psimos and in the custody of the United States Marshal. United States Probation Officer Jonathan P. Reid appeared. The Supervised Release Revocation Hearing was held. The Court received evidence and comments.

Based upon the record of proceedings the Court makes this Report and Recommendation.

On July 21, 2016, Defendant Jackson pled guilty to the Count I charge in the Indictment (felon in possession of a firearm). On September 28, 2016, Judge James T. Moody originally sentenced Defendant Jackson to, among other things, a term of imprisonment followed by 2 years of supervised release subject to specified written terms and conditions.

On December 12, 2018, the Government filed a Petition alleging that the Defendant violated the terms and conditions of his supervised release [DE 40], and an arrest warrant was issued. On December 13, 2018, Defendant Jackson was arrested and an Initial Appearance was held on December 17, 2018.

On January 29, 2019, Defendant Jackson, by counsel, filed a Motion to Transfer to Magistrate Judge, which was granted, and on February 6, 2019, Judge James Moody issued an Order referring this case to the undersigned Magistrate Judge to conduct the Supervised Release Revocation Hearing, to recommend modification, revocation, or termination of the supervised release in this case, and to submit proposed findings and recommendations pursuant to 18 U.S.C. § 3401(i), 28 U.S.C. § 636(b)(1)(B), and N.D. Ind. Local Rule 72-1.

As a result of the February 21, 2019, Supervised Release Revocation Hearing, the undersigned Magistrate Judge **FINDS** that:

1. Defendant Jackson has been advised of his right to remain silent, his right to counsel, his right to be advised of the charges against him, his right to a contested Supervised Release Revocation Hearing, and his rights in connection with such a hearing;
2. Defendant Jackson understands the proceedings, allegations and his rights;
3. Defendant Jackson knowingly and voluntarily admitted that he committed the Grade C violations alleged in the December 12, 2018 Petition [DE 40], including testing positive for methamphetamine, failing to provide a urine specimen, and failing to participate in drug treatment;
4. The violations are Grade C violations, Defendant's criminal history category is VI, and the advisory guideline range is 8 to 14 months imprisonment.

The undersigned Magistrate Judge **RECOMMENDS** to Judge James Moody that:

1. Defendant Jackson be adjudged to have committed the Grade C violations of his supervised release described in the December 12, 2018 Petition [DE 40];
2. The supervised release of Defendant Jackson be revoked;

3. Defendant Jackson be ordered committed to the United States Bureau of Prisons forthwith to serve sixteen months of additional imprisonment therein; and
4. After successful completion of the additional term of imprisonment Defendant Jackson not continue on supervised release.
5. The Grade A violation of Defendant Jackson's supervised release alleged in the December 12, 2018 Petition [DE 40] be dismissed.

The parties agreed to waive any objections to these Findings and Recommendation.

SO ORDERED this 21st day of February, 2019.

s/ John E. Martin
MAGISTRATE JUDGE JOHN E. MARTIN
UNITED STATES DISTRICT COURT

cc: All counsel of record
District Judge James Moody